



News Release

IDAHO DEPARTMENT OF WATER RESOURCES

The Idaho Water Center, 322 E. Front St., Boise, ID - TEL: (208) 287-4800 FAX: (208) 287-6700
www.idwr.idaho.gov

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Malta Area Men Cited for Irrigating Without a Water Right

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For Media Information Contact:
Michael Keckler – (208) 287-4828

State water managers have issued a notice of violation to two Cassia County men for unauthorized use of ground water to irrigate 112 acres of land near Malta. Mark Henery, the landowner and John Schorzman, who is leasing the ground, are both named in the violation that orders them to cease and desist any further use of water on the land, and includes a civil penalty of \$33,600.

The Idaho Department of Water Resources began investigating the matter last spring after Raft River Valley water users raised concerns about illegal diversions during a meeting to discuss establishing a potential ground water management district in the area. In May, IDWR confirmed that a crop had been planted on the land in question.

In early June, IDWR sent a pending notice of violation to Henery and Schorzman and asked them to identify valid water rights used on the property. Schorzman contacted IDWR and said he planned to transfer water rights to the lands in question but had not yet initiated the transfer. Schorzman acknowledged the land was irrigated in 2004 but had not been irrigated in 2005. It is illegal to irrigate such lands until a permanent transfer or another means for providing water is approved by IDWR.

Schorzman remains in contact with IDWR and is in the process of leasing replacement water from the Idaho Water Supply Bank. If sufficient replacement water is acquired, much of the fine could be eliminated.

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